

**OFFICIAL PROCEEDINGS
CITY COUNCIL, CITY OF
WATERTOWN, SOUTH DAKOTA**

November 19, 2018

The City Council met in regular session at 5:30 PM in the Council Chambers, City Hall, 23 2nd Street NE. Mayor Sarah Caron presiding. Present upon roll call: Aldermen Albertsen, Buhler, Danforth, Lalim, Roby, Solum, Vilhauer and Weyh. Absent were Alderman Thorson and Alderwoman Mantey.

Motion by Lalim, seconded by Buhler, approving the following consent agenda as amended: minutes of the Council Meeting held on November 5, 2018; declaration of Surplus Property and authorization to donate or dispose of as junk; alcoholic beverage license renewals for calendar year 2019 (package off-sale liquor, retail on-sale liquor, retail on-sale liquor with video lottery, retail on-off sale wine); appointment of Glen Vilhauer and Doug Kranz to the Committee for the Sisseton-Wahpeton Sioux Tribe Gaming Compact; Change Order No. 2 (final) with Duinick Inc. for the 2018 Milling & AC Mat Construction Project No. 1814, for an increase of \$38,491.00, bringing the total contract amount to \$1,033,768.34; Change Order No. 1 (final) with Duinick Inc. for the 11th Avenue SW Reconstruction Project No. 1803, for a decrease of \$7,216.86, bringing the total contract amount to \$461,320.14; Change Order No. 2 with Duinick Inc. for the 2018 Park & Rec Improvements Project No. 1819, for a decrease of \$17,954.20, bringing the total contract amount to \$163,904.80 and an extension of time; Change Order No. 1 (final) with BX Civil & Construction Inc., for the 20th Avenue SE Bridge Preservation Project No. 1709, for a decrease of \$7,196.00, bringing the total contract amount to \$167,554.00. Motion carried.

ALCOHOLIC BEVERAGES FOR 2019

PACKAGE (Off Sale) LIQUOR LICENSES:

1. Spies Corporation, Cowboy Country Stores #1, 311 10th St NW, Lots 15-16 & 22-28, Lots 22-28, Blk 16, Davis Addition; vacated 10th St W right-of-way lying between S 1/2 of Blk 15 and S1/2 of Blk 16, Davis Addition; Lot 14, Blk 15, Davis Addition less that part of Lot 14 lying North and East of Hwy #20 right-of- way; and Lots 15-19, Blk 15, Davis Addition
2. Spies Corporation, Cowboy Country Stores #2, 504 9th Ave SE, Lots 9-11 lying E of Hwy & all Vacated Alley, Lots 12-15 lying E of Hwy, Lot 16 & Vacated Alley, Blk 4, Davlins Addn
3. Spies Corporation, Cowboy Country Stores #3, 1400 4th St NE, W250' of the S250' of Lot #3 of Plat entitled Lots 1-5 of Northridge Addition to Watertown
4. Discount Liquors, Inc., Discount Liquors, 125 9th Ave SE, Lots 8-10, & vacated alley in Blk 7, Martin's Railway Addn
5. TRP Inc., LT's Liquors, 1036 29th St SE, Lot 4 Rieffenberger 1st Addn
6. Binde Enterprises, Inc., Highway 81 Liquors, 507 Arrow Ave, Lots 6-7, Blk 19, R. E. Pettigrew's Addn
7. Dakota Butcher- Watertown, Inc., Dakota Butcher – Watertown Inc., 1330 9th Ave SW, Lot 1 West Laqua Addn
8. Doris K. Wilkey, Kampeska Lodge & Liquor Store, 436 N Lake Drive, Outlots 8 & 14 in the SW Quarter of 9-117-53 less Section Line Right of Way, and Outlot 17 less Platted Parts, and Lot 14 of Plat of Part of Outlots 17 & 18 (Last Named Honska Ave)9-117-53
9. Conda R. Williams, The Prop, 728 S Lake Drive, W6 rods of 2 less S40 rods & Lot 3 less 40 rods & less W450' of Lot 3 & less Forsberg Addn, 29-117-53
10. Hy-Vee, Inc., Hy-Vee Wine & Spirits, 1341 9th Ave SE, Lots 36-39, Blk 8 of Gesley's Addn

RETAIL (On Sale) LIQUOR LICENSES:

1. 212 Casino, Inc., 212 Casino, 1317 5th Ave SE, Lots 27-30, Block 8, Gresley's Second Addition to Watertown
2. Codington Co. Post 17, American Legion, 1412 9th Ave SW, N396' of W215' of E365' of Govt Lot 3, 1- 116-53
3. Apple H20, LLC., Applebee's Neighborhood Grill & Bar, 2630 9th Ave SE, Lot 19 Less the S52.64' Endres Ind Addition Addition
4. The Shamrocks & Edelweiss Corp, Dempsey's Brewery, Pub & Restaurant, 127 N Broadway, Hurkes Addn to the City of Wtn, being formerly a portion of the NE1/4 of 31-117-52
5. D&M Entertainment, Inc., Doc's Bar, 33 N Maple, Lots 1-4, Blk 4, Orig Plat Addn
6. Bracht Enterprises, Inc., Duffy's Bar, 22 N Broadway, N25'8" of the S75' of Lots 11-14, Blk 4, Original Plat
7. Benevolent & Protective Order of Elks, Elk's Lodge #838, 600 W Kemp, Parcel I: Lots 1-4, Coop Subdiv, part OL 4, Parcel II: Powerhouse Addn.
8. Friends of the Goss Opera House Inc., Friends of the Goss Opera House Inc. (Inactive), 100 Kemp Ave E, W115' N1/2 & S10' N1/2 E50' Lot 12 & W65.22' N1/2 & W115' S1/2 Lot 13 & W65.22' Lot 14, Block 10, Original Plat & W50.75' E101.26' N25' Lot 13 & W50.75' E101.26' Lot 14, Block 10, Original Plat

9. Schwalm Corporation, The Lounge, 21 North Maple, Harper Belatti, Outlot Block 4 Original Plot
10. Guest House Enterprises, Inc., Guest House Motor Inn, 101 N Broadway, Hanken & Haggard OL NE1/4, 31-117-52
11. WR Capital I, LLC, Minerva's Restaurant & Bar, 1901 9th Ave SW, E510.5' W900' S720' less W251.5' N124' & less N98' S596' E64.62' W395' & less H-3 City Lands 36-117-53 & E259' of W900' of N250' of S970' SW1/4 & Ramkota Addn plus Lot 4 & W 93.3' of Lot 5 of Turbes Addn to the City of Watertown
12. W&P of Watertown, LLC, Buffalo Wild Wings, 2700 9th Ave SE #100, Lot 2 of Endres Investment 8th Addition to Municipality of Watertown
13. Prairie Winds Golf Club, LLP, Prairie Winds Golf Club, 555 S Lake Dr, OL B Less OL 1 & OL C Less PT Lying N of S Line OL 1 OL C Arends Park Less Lots 1-11 Blk 1 & Less Lots 1-9 Blk 2... City Lands 28- 117-53
14. Zeus, Inc., Second Street Station, 15 2nd St SW, Lots 1-2 less N97' & Lot 3 less N91' & all of Lot 14, Blk 34, Second Railway Addn
15. Biever Enterprise, Inc., Senor Max's, 1300 9th Ave SE, Suite 30 of Lots 1 & 2, Less Lot H1 Watertown Mall Associates an Ohio Limited Partnership Add
16. Tommy's Lanes Inc., Tommy's Lanes Inc., 16 S Maple, Lot 11 & S1/2 of Lot 12, Blk 10, Original Plat Addn
17. Veterans of Foreign Wars, Frank Adams Post 750, 808 S Broadway, Lots 34-39, Blk 6 Martin's Railway Addn
18. MLGE, Inc., Willy's, 1401 9th Ave SW, Lot 1, Blk 1, Watertown Dev Addn
19. Woody's Sports Bar LLC, Woody's Sports Bar LLC, 1612 9th Ave SW, E224' W397' N275' & E93' W397' S237.25' N512.25' of Govt Lot 3, City Lands
20. Tango Bravo Charlie, Inc., Shooters, 6 N Maple, Westerly 30' of Lots 19-22, Block 3, Original Plat
21. M&M Foxy's, Inc., Foxy's, 137 5th St NE, Wtn City Pettigrew's Addn, Haggard's Subdiv, Blk 20 ABC: Lots A & B, Blk 20, Pettigrews Addn
22. Lone Pine Bar & Grill, Inc., Lone Pine Bar & Grill, 2647 10th Ave SE, E109' of Lot 2 of Wheel City Addition to the Municipality of Watertown, Codington County, South Dakota
23. Cloud 9 Golf Course, Inc., 625 20th Ave SE, OL6 of the SW ¼ Sec. 5-116-52 less Suite 1
24. Harry's Hair Cuts & Hot Towels LLC, Harry's Hair Cuts & Hot Towels LLC, 16 W Kemp, Parcel I: E25' of Lot 14, Blk 8 of Wtn; & Lot 1 of Monks' Subd of Lots 12, 13 & 14, Blk 8 of Wtn. Parcel II: W25' of E50' of Lot 14, Blk 8 of Wtn & Lot 2 of Monks' Subdiv of Lots 12, 13, & 14, Blk 8 of Wtn.

RETAIL (On-Off Sale) WINE LICENSES:

1. Guadalajara, Inc., Guadalajara Mexican Restaurant, 1509 9th Ave SE #1, Lots 4-7 Roby Subdivision
2. Conda R. Williams, The Prop, 728 S Lake Drive, W6 rods of 2 less S40 rods & Lot 3 less 40 rods & less W450' of Lot 3 & less Forsberg Addn, 29-117-53
3. County Fair Foods of Watertown, Inc., County Fair Banquet Hall, 8 2nd St NE, Lots 15-16 Block 2 Original Plat Addition
4. Stone Oil Co., Inc., The Grainery, 3801 9th Ave SE, Lot 1, Block 1 & N200' of S600' of W300', Blk 2, Fox Addn in SE 1/4, 34-117-52
5. Hy-Vee INC, Hy-Vee #1871, 1320 9th Ave SE, Lot A of Watertown Mall Associates subdivision of Lot 11 of the Plat entitled: Watertown Mall Associates an Ohio Limited Partnership Addition to the City of Watertown, located in the NE 1/4 Section 5-T116N-R52W of the 5th P.M. Codington County, SD
6. Jencor, Inc., Game Spot Casino, 717 S Broadway St., Lot 6 Block 87 4th Railway Addition
7. Tokyo TFW, LLC, Tokyo TFW LLC, 521 9th Ave SE, Lots 1-4 and vacated part Ave & Alley less Lots 1-2, Lot A, Block H, & S8' Lot 5 & all Lots 6-7 and vacated part Ave, Block G, all in Burchards Addition
8. REVE, LLC, DBA Watertown Brewing Company, 113 E Kemp Ave., Lot 1 in John F. Brock's rearrangement of lots 23 and 24 of Block 3, Watertown, Codington County, South Dakota, according to the recorded plat thereof; and Lot 1 in the Vacated Alley Rearrangement in John F. Brock's rearrangement of Lots 23 and 24, in Block 3, Watertown, Codington County, South Dakota, according to the recorded plat thereof; and Lot 1 in Balsiger's rearrangement of Lot 25 in Block 3, Watertown, Codington County, South Dakota, according to the recorded plat thereof
9. Harry's Haircuts & Hot Towels, LLC, DBA Harry's Haircuts & Hot Towels, 16 W Kemp, Parcel I: E25' of Lot 1 of Monks Subd of Lots 12, 13 & 14, Blk 8 of Wtn, Parcel II W25' of E 50' of Lot 14 Blk 8 of Wtn & Lot 2 of Monks' Subdiv of Lots 12, 13, & 14, Blk 8 of Wtn
10. Birong Chen, dba Downtown Sushi, 18 N Broadway St.,
Parcel I- The South 49 feet 4 inches of the West 2 feet of Lot 11, and the South 40 feet of Lots 13 and 14, all in Block 4, Original Plat of Watertown, Codington County, South Dakota, according to the recorded plat thereof, and
Parcel II- The South 9.2 feet of the North 125 feet of Lots 13 and 14, in Block 4 of Watertown, Codington County, South Dakota, according to the recorded plat thereof
11. Dakota Butcher – Watertown East Inc., Dakota Butcher – Watertown East Inc., 1923 Willow Creek Drive Suites 1 & 2, Suite 1, Lot 1 Marvin Ed 2nd Addition Suite 1
12. Oscar Nails Watertown LLC, Oscar Nails Watertown LLC, 2013 Willow Creek Dr Ste 3, Lot 1 Marvin Ed, 2nd Addition

Mayor Caron called for Public Comment. No public comments.

Motion by Vilhauer, seconded by Danforth, to approve the agenda as amended. Motion carried.

This being the time scheduled for the public hearing on a renewal of a retail (on-sale) Liquor license for SNL Entertainment LLC, d/b/a Sparky's Bar at 19 N Broadway; the S48' of Lots 1-5 less the W 12' of Block 5, all in Block 5 of Watertown; for the period of January 1, 2019 to December 31, 2019; the Mayor called for public comment. Jeremy Seeman spoke in favor of the renewal. Hearing no further comments from the public, motion by Albertsen, seconded by Lalim, to approve the renewal as presented. Motion carried with Roby recused.

This being the time scheduled for the public hearing on a renewal of a retail (on-sale) Liquor license for BMG, Inc., d/b/a Ringo's at 520 10th St. NW; N110' of Lots 11-13, N110' of E20' of Lot 14, Blk 3, Davis Addn; for the period of January 1, 2019 to December 31, 2019; the Mayor called for public comment. Brad Maynard spoke in favor of the renewal. Hearing no further comments from the public, motion by Lalim, seconded by Buhler, to approve the renewal as presented. Motion carried with Roby recused.

This being the time scheduled for the public hearing on a renewal of a retail (on-sale) Liquor license for Number One Casino Inc., d/b/a Number One Casino at 1006 14th Street SE; W 1/1 of Lots 10 & 11, Blk 1, East Acres Addn; for the period of January 1, 2019 to December 31, 2019; the Mayor called for public comment. Kevin Solheim spoke in favor of the renewal and provided a solution for no future violations. Hearing no further comments from the public, motion by Lalim, seconded by Weyh, to approve the renewal as presented. Motion carried with Roby recused.

This being the time scheduled for the public hearing on the ownership transfer of a retail (on-off sale) malt beverage with Video Lottery license from Cloud 9 Golf Course Inc.,(Inactive) d/b/a Cloud 9 Golf Course Inc. #2, 625 20th Ave SE, OL6 of SW ¼ Sec 5-116-52 to Dorothy Harms, d/b/a Cloud 9 Golf Course # 2 at 625 20th Ave SE; Suite 1 of OL6 of the SW ¼ Sec 5-116-52; the Mayor called for public comment. Hearing no comments from the public, motion by Weyh, seconded by Vilhauer, to approve the renewal as presented. Motion carried with Roby recused.

Motion by Lalim, seconded by Danforth, to approve the request by the Prairie Lakes Wellness Center for the City Council to permit the consumption of alcohol at the Prairie Lakes Wellness Center on November 29, 2018 for a "Grit and Sip" event. Motion carried with Roby recused.

Motion by Buhler, seconded by Albertsen, to approve Resolution No. 18-48 for the Replat of Lots 6-9A Block 10 of KAK's First Addition. Motion carried.

Motion by Weyh, Seconded by Albertsen, authorizing the Mayor to sign an addendum to the development agreement for the plat of KAK's First Addition. Motion carried.

Ordinance No. 18-23 amending Sections 5.0216 and 5.0217 of the Revised Ordinances of the City of Watertown regarding elevation references was placed on its second reading and the title was read. This being the time scheduled for a public hearing on Ordinance No. 18-23, the Mayor called for public comment. Hearing no comments from the public, motion by Lalim, seconded by Buhler, to approve Ordinance No. 18-23 as presented. Motion carried.

Ordinance No. 18-24 amending Section 18.0101 regarding parking restrictions was placed on its second reading and the title was read. Motion by Roby, seconded by Albertsen, to approve Ordinance No. 18-24 as presented. Motion carried.

Ordinance No. 18-25 amending zoning district boundaries by rezoning Lots 1-3, Block 3 of Watertown Development Company Addition to I-1 Light Industrial District was placed on its first reading and the title was read. No action taken.

Ordinance No. 18-27 revising and amending Section 5.0301 to adopt with modifications the 2018 editions of the International Residential Code, International Building Code, International Property Maintenance Code, International Mechanical Code and International Existing Building Code was placed on its first reading and the title was read. No action taken.

Alderman Albertsen stated the Library heating system project is complete.

Mayor Caron stated there is a new certification for Public Works Officials. The Mayor and City Engineer Heath VonEye completed the requirements and are now Certified Public Works Professionals in Management.

Mayor Caron stated a Request for Proposal will be sent out for Naming Rights on the new gun range.

Mayor Caron stated there will be a Sales Tax presentation meeting on November 27, 2018 at 7:00 pm in the Council Chambers.

Motion by Lalim, seconded by Weyh, to convene in executive session for the purpose of discussing contractual matters. Motion carried.

Motion by Lalim, seconded by Danforth, to reconvene in open session. Motion carried.

Motion by Lalim, seconded by Weyh, to adjourn until 7:00 PM on Tuesday, November 27, 2018. Motion carried.

The City of Watertown, South Dakota does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment or the provision of service.

Dated at Watertown, South Dakota, the 19th day of November, 2018.

ATTEST:

Kristen Bobzien
Finance Officer

Sarah Caron
Mayor